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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application

Inventors: HERBERT SCHWARTZ, et al.  
Appln. No.: 09/472,110  
Confirm. No.: 8339  
Filed: December 12, 1999  
Title: COMPOSITIONS OF POLYACIDS AND  
POLYETHERS AND METHODS FOR THEIR  
USE IN REDUCING ADHESIONS

PATENT APPLICATION

Art Unit: 1623  
Examiner: Howard V. Owens Jr.

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 24, 2004.

D. Benjamin Borson (Attorney Signature)  
D. Benjamin Borson, Reg. No. 42,349  
Signature Date: March 24, 2004

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

- ✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ✓ The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (\*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

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Form PTO-1449 (Substitute)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>Information Disclosure Statement</b> <b>BY APPLICANT</b> (Use several sheets if necessary)	Attorney Docket Number <b>FZIO-1000US4DBB</b>	Serial/Patent Number <b>09/472,110</b>
		Applicant/Patent Owner <b>Schwartz, et al.</b>	
		Filing/Issue Date <b>12/27/99</b>	Group Art Unit <b>1623</b>

### U.S. PATENTS

Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass
	5,156,839	10/20/1992	Pennell, et al.	424	78
	5,550,178	8/27/1996	Desair, et al.	524	56
	5,709,854	1/20/1998	Griffith-Cima, et al.	424	93.7
	4,024,073	5/17/1977	Shimizu, et al.	252	316
	5,532,221	7/2/1996	Huang, et al.	514	53

### FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Class	Subclass	Translation Yes   No	
	0 189 553 A2	6/8/86	EP0	C	08		
	WO 98/58011	12/23/1998	PCT	C	08G		

Examiner	Date Considered
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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*1 = Copy not submitted because it was submitted in prior application SN \_\_/\_\_, filed \_\_\_\_, 20\_\_, relied on under 35 USC §120.

\*2 = Copy not submitted because it was submitted in prior application SN \_\_/\_\_, filed \_\_\_\_, 20\_\_, relied on under 35 USC §120.

✓ **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

✓ A copy of the European Search Report is also enclosed.

***This statement should be considered because:***

✓ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

(1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

AND

(2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** Please charge the fee of \$180 to Deposit Account No. 06-1325. The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: March 24, 2004

By: \_\_\_\_\_

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